

## UNITED STATES DISTRICT COURT

for the

FILED 20 DEC '23 10:47 USDC-ORP

District of \_\_\_\_\_

Division \_\_\_\_\_

Case No.

6:23-cv-1923 MK

(to be filled in by the Clerk's Office)

Jesus Javier Esquivel-Luna

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one)



Yes



No

(Marion County Jail) Marion County Sheriff's Office

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Jesus Javier Esquivel-Luna

Street Address

currently in custody

City and County

Salem, Marion

State and Zip Code

Oregon, 97305

Telephone Number

971-209-2290

E-mail Address

JaviLuna@hotmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 2

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 3

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

Defendant No. 4

Name

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address *(if known)*

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐

Federal question

☐

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Slavery act in the State of Oregon

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Jesus Javier Esquivel-Luna, is a citizen of the State of (name) Oregon

**b. If the plaintiff is a corporation**

The plaintiff, (name) Marion County Sheriff's Office, is incorporated under the laws of the State of (name) Oregon and has its principal place of business in the State of (name) Oregon

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.



## b. If the defendant is a corporation

The defendant, (name) Marion County Sheriff Office is incorporated under the laws of the State of (name) Oregon, and has its principal place of business in the State of (name) Oregon.  
 Or is incorporated under the laws of (foreign nation) the United States, and has its principal place of business in (name) Marion County Jail.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Recent laws have changed in regards to the slavery act regarding AIC's in custody. States the individuals who are working while in custody must be paid a wage or violates Oregon State law.

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Currently AIC in Marion County Jail do not receive a dollar wage amount who are given jobs. if they refuse to work they get reassessed to 23hr lockdown for months at a time.

I want to file a ~~class action~~ lawsuit against marion county

## IV. Relief

## Relief

Jail for forcing AIC's to work, without receiving a dollar wage amount asking for \$50,000,000 to go towards compensation to present and pass AIC's.

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am asking the courts for monetary relief as stated above also asking for reform within the marion county jail so AIC's who are given jobs must receive a dollar wage amount.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/18/23

Signature of Plaintiff

Printed Name of Plaintiff

Jesus Luna  
Jesus Javier Esquivel-Luna

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

currently pro se  
Intend to seek legal help however  
resources are limited to myself because  
I am currently lodged at Marion County  
Jail in Salem, Oregon.  
N/A

Name Jesus Javier Espinoza-Luna

SID# 230 77637

Marion County Sheriff's Office - Jail  
4000 Aumsville Hwy. SE  
Salem, Oregon 97317

PORTLAND OR 972

10 DEC 2023 PM 1



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